

Meeting	SPA Complaints & Conduct Meeting
Date	9 March 2020
Location	Pacific Quay, Glasgow
Title of Paper	Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing – SPA Update
Presented By	SPA Complaints Team
Recommendation to Members	For Noting
Appendix Attached	Yes- Strategic Oversight Group- Terms of Reference

PURPOSE

This is a briefing to the Complaints and Conduct Committee to provide an update on the actions related to Recommendations in the Preliminary Report published by Dame Eilish Angiolini

The paper is presented in line with:

- Scottish Police Authority Committee Terms of Reference

The paper is submitted:

- For Noting

1 BACKGROUND

- 1.1 Dame Elish Angiolini published her Preliminary Report on 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing' (the Report) on 21 June 2019. The Report identified a total of 30 recommendations, 4 of which are specific to the SPA. In addition, Dame Elish made a number of key observations throughout the report.
- 1.2 At the Complaints & Conduct meeting of 21 November 2019, Members were presented with details of the SPA internal action plan, generated to address the specific recommendations within the Report, as well as take cognisance of the lessons learned and observations made.
- 1.3 The SPA's role is two-fold, firstly to address the recommendations made for the SPA and, secondly, the CCC has a role in overseeing the progress made in addressing recommendations relevant to Police Scotland.

2 FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 The SPA Action Plan contains 44 actions, divided into three categories; SPA Implementation, SPA Oversight, and Information Only.
- 2.2 "SPA Implementation" actions include those actions which address the SPA-specific recommendations within the Report plus the Police Scotland-specific recommendations which the SPA has also agreed should be implemented within the SPA.
- 2.3 "SPA Oversight" actions are those actions which address the Police Scotland-specific recommendations within the Report for which the SPA has a role in overseeing the progress made by Police Scotland.
- 2.4 "Information Only" actions are those actions which address recommendations within the Report for which the SPA has no role in implementing or overseeing. These are mostly PIRC-specific recommendations.
- 2.5 Of the 44 actions within the SPA Action Plan, 13 have been completed and 31 are currently ongoing. The following paragraphs provide a summary of progress in relation to "SPA Implementation" actions.

2.6 Amended Procedures/ Guidance (Recommendations 4, 13, 16, 18, 19)

Draft amendments have been made to the "SPA Complaints Handling Procedures" and "Guidance on the Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013." The amended documents have been shared with Members of the Complaints & Conduct Committee and will be forwarded to the Scottish Chief Police Officers' Staff Association (SCPOSA) and the Police Investigations & Review Commissioner (PIRC) for comment. The amended documents will also address some key observations within the Report.

2.7 Audit (Recommendations 5, 27)

Work is underway within the National Complaint Handling Development Group (NCHDG) to agree arrangements for an annual multi-agency audit of Police Scotland's complaint handling involving the SPA, Police Scotland and the PIRC.

2.8 SPA Website (Recommendation 8)

The Complaints page on the SPA website has been updated and simplified with hyperlinks and contact details contained on one page.

2.9 Training (Recommendations 10, 17)

Police Scotland are developing a mediation and customer handling training programme and, once established, will extend an invite to members of the SPA Complaints Team.

Members of the SPA Complaints Team and representatives from the PIRC Review Team will attend a Police Scotland Established Leaders training event during the course of this year.

Individual members of the SPA Complaints Team will have training and development plans updated in accordance with the new appraisal process due to launch in April 2020.

2.10 Governance (Recommendation 26)

Two groups have now been established; The Strategic Oversight Group (SOG) and National Complaint Handling Development Group (NCHDG).

2.11 The SOG provides strategic direction and engages with the Scottish Government regarding system improvements such as proposed changes to legislation. Membership of the SOG comprises:

COPFS – Deputy Crown Agent Serious Casework
PIRC – Police Investigation and Review Commissioner
Police Scotland – ACC Professionalism and Assurance
SPA – Director

The Terms of Reference for the SOG is included as an appendix to this paper.

- 2.12 The NCHDG is an operational group which is tasked by the SOG and implements required operational recommendations such as changes to processes. Membership of the NCHDG comprises:

PIRC – Head of Reviews & Policy, Senior Review Officers
Police Scotland – Senior representatives (officers and staff)
from Police Scotland's Professional Standards Department
(PSD)
SPA – Complaints & Conduct Manager, Complaints & Conduct
Co-ordinators

- 2.13 **Proposed Legislative Changes (Recommendations 13, 28, 29, 30)**

The SOG met on 22 January 2020 when the issue of legislative priorities was discussed. Scottish Government reported that there is no possibility of legislative change in respect of any of the recommendations before the Review's final report is produced in September 2020.

3 FINANCIAL IMPLICATIONS

- 3.1 There may be financial implications in this report, depending on what resources are required to ways of working to strengthen the SPA oversight role.

4 PERSONNEL IMPLICATIONS

- 4.1 There may be personnel implications associated with this paper, linked to changes in working practices. These have yet to be analysed and impact understood.

5 LEGAL IMPLICATIONS

- 5.1 There may be legal implications in this paper depending on any advice received in relation to a specific complaints matter.

6 REPUTATIONAL IMPLICATIONS

6.1 There may be positive reputational implications associated with this paper, linked to changes in working practices as an outcome of the Dame Elish Angiolini Preliminary Report and the arrangements being formalised through the Quad Party Group.

7 SOCIAL IMPLICATIONS

7.1 There are no social implications associated with this paper.

8 COMMUNITY IMPACT

8.1 There are no community implications associated with this paper.

9 EQUALITIES IMPLICATIONS

9.1 There are no equality implications associated with this paper. The SPA Complaints process is accessible to all, and anything arising from the Independent Review will be assessed in a timeous manner.

10 ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications associated with this paper.

RECOMMENDATIONS

Members are requested to note the contents of this report and request additional information if required.

Terms of Reference –

Strategic Oversight Group: Police Complaints and Investigations

PURPOSE AND SCOPE

Having regard to the respective roles and responsibilities of Police Scotland, PIRC, SPA and COPFS, the Strategic Oversight Group will meet regularly to promote and provide strategic direction.

1. The purpose of this group of senior executives is to work together to achieve:
 - Increasing public confidence and satisfaction with service across all relevant bodies.
 - Ensuring consistent practice in relation to complaints handling and investigations across the policing / justice sector.
 - Dealing effectively and expeditiously with complaints to reduce delays.
 - Increasing public awareness and understanding of the complaints handling and investigations process.
 - Improving communication with the public around progress.
 - Fostering proactive co-operation between organisations.
 - Sharing relevant information in relation to all aspects of complaint handling and investigations.

2. Meetings will be used to:
 - Identify areas of challenge and improvement action required to address emerging situations.
 - Discuss ongoing and upcoming cases of relevance – impact, risks and timescales.
 - Oversee progress against improvement recommendations contained in the ‘Independent review of complaints handling, investigations and misconduct issues in relation to policing’.
 - Task an Advisory Group to undertake actions in relation to systemic change within complaints handling and develop appropriate and up to date guidance.
 - Engage with Scottish Government, HMICS and other relevant bodies as appropriate to ensure consistency, ownership and agreement in relation to system improvements.

MEMBERSHIP AND ATTENDEES

3. Meetings will be attended by core partners:
 - COPFS – Deputy Crown Agent Serious Casework
 - PIRC – Police Investigation and Review Commissioner

- Police Scotland – ACC Professionalism and Assurance
 - SPA – Director
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- With the agreement of the availability of technology Strategic Oversight Group members may be able to join the meeting by video or teleconference.
 - If an individual cannot attend the meetings, a suitable senior deputy should be nominated to attend to ensure continuity and progress.
4. Meetings may be attended in part by:
 - HMICS – Her Majesty’s Inspector of Constabulary Scotland
 - Scottish Government – Deputy Director, Police Division / Director General?
 5. The Strategic Oversight Group may also include co-opted members selected for their expertise in the areas that fall within the Committee’s terms of reference.
 6. The Strategic Oversight Group may invite representatives from external stakeholders or partner organisations for consideration of specific agenda items / subject areas.

MEETINGS

7. The Strategic Oversight Group will hold at scheduled meetings every 2 months, although the precise number of meetings will be dependent upon the nature and extent of the business. (The expectation is that the Advisory Group will meet monthly.)
8. The Chair of each meeting will rotate depending on who is hosting the meeting.

GOVERNANCE / TRANSPARENCY

9. The SPA Director will give an update on the overall work of the Strategic Oversight Group in the public report to the SPA Complaints and Conduct Committee as the only public facing vehicle within the group – the contents of these reports will be shared with Strategic Oversight Group Members in advance.

10. Where FOI requests come in relating to information discussed by the Strategic Oversight Group, COPFS will take the lead and give advice on what can be released, in agreement with all members.

SECRETARIAT

11. COPFS have offered to provide secretariat support to this group, and will be responsible for all arrangements associated with supporting the meeting, including diary management, circulation of minutes and action logs etc.